

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF NORTH CAROLINA

Case number (if known)

Chapter

11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **Piedmont Polymers & Fabrication, LLC**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **83-0831894**

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

**12210 Vance Davis Drive, Suite 100
Charlotte, NC 28269**

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Mecklenburg

County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **Piedmont Polymers & Fabrication, LLC**
Name

Case number (if known) _____

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

3089**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ **Chapter 11. Check all that apply:**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No.☐ Yes.

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____

District _____ When _____ Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☒ No☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____ Relationship _____

District _____ When _____ Case number, if known _____

Debtor **Piedmont Polymers & Fabrication, LLC**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☐ 1-49

☒ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **Piedmont Polymers & Fabrication, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **December 13, 2020**
MM / DD / YYYY

X /s/ William A. Barbee

Signature of authorized representative of debtor

William A. Barbee

Printed name

Title **Receiver**

18. Signature of attorney

X /s/ Richard S. Wright

Signature of attorney for debtor

Date **December 13, 2020**

MM / DD / YYYY

Richard S. Wright 24622

Printed name

Moon Wright & Houston, PLLC

Firm name

121 West Trade Street

Suite 1950

Charlotte, NC 28202

Number, Street, City, State & ZIP Code

Contact phone **704-944-6560**

Email address **rwright@mwhattorneys.com**

24622 NC

Bar number and State

CORPORATE RESOLUTION

The undersigned, being the duly appointed receiver of **Piedmont Polymers & Fabrication, LLC**, a limited liability company organized under the laws of the State of North Carolina, (the "Company") with a corporate headquarters at 12210 Vance Davis Drive, Suite 100, Charlotte, North Carolina 28269, hereby adopts the following resolutions pursuant to that *Consent Order for Appointment of a Receiver* entered by the Superior Court of Mecklenburg County on November 23, 2020 in the lawsuit styled *Piedmont Plastics, Inc. v. Piedmont Polymers & Fabrication, LLC et al.*, bearing Case No. 20-CVS-15558:

RESOLVED, that the filing by the Company of a petition for relief under chapter 11 of title 11, United States Code (the "Bankruptcy Code"), in the United States Bankruptcy Court for the Western District of North Carolina is approved; and it is

FURTHER RESOLVED, that the undersigned is authorized, empowered, and directed to execute on behalf of the Company a petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of North Carolina, and any affidavits, forms, schedules, application or any other pleadings or documents which are necessary or appropriate, including debtor-in-possession financing arrangements; and it is

FURTHER RESOLVED, that the retention by the Company of the law firm of Moon Wright & Houston, PLLC to render legal services to, and to represent the Company in connection with such chapter 11 proceedings and other related matters in connection therewith, is authorized and approved; and it is

FURTHER RESOLVED, that the Company is authorized to retain such other professionals as the undersigned may deem necessary or appropriate to render services to the Company in connection with such chapter 11 proceedings and with respect to other related matters in connection therewith; and it is

FURTHER RESOLVED, that the Company is authorized, empowered, and directed to take any and all further action and to execute and deliver any and all such further instruments and documents and to pay all such expenses (subject to bankruptcy court approval), as the undersigned may deem necessary or appropriate in order to carry out fully the intent and to accomplish the purposes of the resolutions adopted herein; and it is

FURTHER RESOLVED, that all actions taken by the undersigned on behalf of the Company prior to the date hereof in connection with the reorganization of the Company or any matter related thereto, or by virtue of these resolutions, are hereby in all respects ratified, confirmed, and approved.

Dated: Charlotte, North Carolina
December 11, 2020

By:



W. Andrew Barbee
Receiver for Piedmont Polymers &
Fabrication, LLC

Fill in this information to identify the case:

Debtor name **Piedmont Polymers & Fabrication, LLC**
 United States Bankruptcy Court for the: **WESTERN DISTRICT OF NORTH CAROLINA**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Atlantic Packaging PO Box 60002 Charlotte, NC 28260						\$5,029.31
Boltaron, Inc. One General St Newcomerstown, OH 43832						\$67,710.39
Catawba Industrial Rubber PO Box 30636 Charlotte, NC 28230-0636						\$9,113.00
Cincinnati Insurance Companies PO Box 14 Cincinnati, OH 45250-5496						\$5,022.00
CornerStone Plastics Inc 1027 Luck Rd Asheboro, NC 27203						\$30,347.28
Coyote International, LLC 2302 Ludelle St Fort Worth, TX 76105						\$3,255.00
D.A. Moore Corp 36 Oak Drive Concord, NC 28027						\$15,237.39
Digital Design & Modeling 6201 Hackers Bend Ct Winston Salem, NC 27103						\$3,288.00
Duke Energy PO Box 1046 Charlotte, NC 28272						\$18,838.79

Debtor **Piedmont Polymers & Fabrication, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
First Home Bank A FL Banking Corporation 700 Central Avenue St Petersburg, FL 33701		PPP Loan				\$724,600.00
H.B. Fuller 9001 W Fey Dr Frankfort, IL 60423						\$9,786.60
IPS Packaging & Automation PO Box 2009 Founatin Inn, SC 29644						\$4,242.65
MA Precision 5215 Kazuko Ct Moorpark, CA 93021						\$12,187.50
Mecklenburg County Tax Collector PO Box 71063 Charlotte, NC 28272-1063						\$20,922.71
Packaging Corporation of America 212 Roelee St Trinity, NC 27370						\$3,025.60
Pinnacle Bank Mooresville NC Commerce Park LPO 125 Commerce Park Road Mooresville, NC 28117						\$6,633.53
Primex Plastics Corp. 3435 Old Oakwood Rd Oakwood, GA 30566						\$56,724.90
Sekisui Kydex, LLC PO Box 828322 Philadelphia, PA 19182-8322						\$65,874.64
Shanghai Jesoncom Communication Equipmen No. 788 Shanlian Road Baoshan Urban Industrial District China						\$99,751.68

Debtor **Piedmont Polymers & Fabrication, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
TriMech Solutions, LLC 4461 Cox Rd Suite Glen Allen, VA 23060						\$7,641.57

**United States Bankruptcy Court
Western District of North Carolina**

In re **Piedmont Polymers & Fabrication, LLC**

Debtor(s)

Case No.
Chapter

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LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Ernie Cotter c/o C. Richard Rayburn, Jr. Rayburn Cooper & Durham, PA 227 W. Trade Street, Suite 1200 Charlotte, NC 28202		50%	
Matthew Cobb 482 East Plaza Drive Mooresville, NC 28115		50%	

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Receiver** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **December 13, 2020**

Signature **/s/ William A. Barbee**
William A. Barbee

Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court
Western District of North Carolina**

In re **Piedmont Polymers & Fabrication, LLC**

Debtor(s)

Case No.

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VERIFICATION OF CREDITOR MATRIX

I, the Receiver of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **December 13, 2020**

/s/ William A. Barbee

William A. Barbee/Receiver

Signer/Title

Airgas National Welders
PO Box 734672
Dallas, TX 75373-4672

Anderson America Corp.
10620 Southern Loop Blvd
Pineville, NC 28134

Atlantic Packaging
PO Box 60002
Charlotte, NC 28260

Automation Technology, Inc.
PO Box 348
Concord, NC 28026-0348

B/E Aerospace, Inc.
2599 Empire Dr
Winston Salem, NC 27103

Blake & Pendleton
Dept #0671
PO Box 850001
Orlando, FL 32885-0671

Boeing Distribution Services Inc
8289 Expedite Way
Chicago, IL 60695-0001

Boltaron, Inc.
One General St
Newcomerstown, OH 43832

Bullseye Telecom, Inc.
PO box 6558
Carol Stream, IL 60197-6558

Carolina Business Supplies
PO Box 681027
Charlotte, NC 28216

Carolina Tape & Supply Co
PO Box 2488
Hickory, NC 28603

Catawba Industrial Rubber
PO Box 30636
Charlotte, NC 28230-0636

Chubb
PO Box 382001
Pittsburgh, PA 15250-8001

Cincinnati Insurance Companies
PO Box 14
Cincinnati, OH 45250-5496

CIT Bank - Faro Arm Lease
CIT Bank NA 10201 Centurion Parkway N #1
Jacksonville, FL 32256

CIT Bank - IT Equipment Lease
CIT Bank NA 10201 Centurion Parkway N #1
Jacksonville, FL 32256

CIT Bank, NA
155 Commerce Way
Portsmouth, NH 03801

City of Charlotte
Blling Center
PO Box 1316
Charlotte, NC 28201-1316

CNP Technologies, LLC
Attn: Jane Johnson
806 Tyvola Road, Suite 102
Charlotte, NC 28217

CornerStone Plastics Inc
1027 Luck Rd
Asheboro, NC 27203

Coyote International, LLC
2302 Ludelle St
Fort Worth, TX 76105

CW Thomas
8000 State Rd
Philidelphia, PA 19136

D.A. Moore Corp
36 Oak Drive
Concord, NC 28027

D.B. Roberts Company
PO Box 531230
Atlanta, GA 30353-1230

Digital Design & Modeling
6201 Hackers Bend Ct
Winston Salem, NC 27103

Duke Energy
PO Box 1046
Charlotte, NC 28272

Ernie Cutter
c/o C. Richard Rayburn, Jr.
Rayburn Cooper & Durham, PA
227 W. Trade Street, Suite 1200
Charlotte, NC 28202

Estes Express Lines
PO BOX 25612
Richmond, VA 23260-5612

Farris Belt and Saw
235 Foster Ave
Charlotte, NC 28203

FedEx
PO 371461
Pittsburgh, PA 15250-7461

Fedex Freight
PO Box 223125
Pittsburgh, PA 15251-2125

First Home Bank
A FL Banking Corporation
700 Central Avenue
St Petersburg, FL 33701

Freeman Gas
PO Box 190253140-F Piper Lane
Charlotte, NC 28219

Grainger
1401 S Mint St
Charlotte, NC 28203-4135

H.B. Fuller
9001 W Fey Dr
Frankfort, IL 60423

IPS Packaging & Automation
PO Box 2009
Founatin Inn, SC 29644

Kenneth Lautenschlager
Johnston, Allison & Hord
1065 E. Morehead Street
Charlotte, NC 28204

Kenson Plastics Inc
2835 Darlington Rd
Beaver Falls, PA 15010

Landstar System Inc (US Carriers)
4810 East Fork Lane
Monroe, NC 28110

LMT - Onsrud
800 Liberty Dr
Libertyville, IL 60048

MA Precision
5215 Kazuko Ct
Moorpark, CA 93021

Matlab, Inc.
1112 Nc Hwy 49
Asheboro, NC 27205

McMaster-Carr Supply Co.
PO Box 7690
Chicago, IL 60680-7690

Mecklenburg County Tax Collector
PO Box 71063
Charlotte, NC 28272-1063

MSC Industrial Supply Co.
6700 Discovery Blvd
Mableton, GA 30126

Packaging Corporation of America
212 Roelee St
Trinity, NC 27370

Piedmont Plastics, Inc.
5010 West WT Harris Blvd.
Charlotte, NC 28269

Pinnacle Bank
Mooresville NC Commerce Park LPO
125 Commerce Park Road
Mooresville, NC 28117

Primex Plastics Corp.
3435 Old Oakwood Rd
Oakwood, GA 30566

Priority First
933 Louise Ave Suite 101-18
Charlotte, NC 28204

Proshred Security
803 Pressley Rd, Suite 108
Charlotte, NC 28117

Quality Die Company
111 Quality Lane
Mt Mourne, NC 28123

RTA International
189 Bedford St
Stamford, CT 06901

Sekisui Kydex, LLC
PO Box 828322
Philadelphia, PA 19182-8322

Shanghai Jiesoncom Communication Equipmen
No. 788 Shanlian Road Baoshan
Urban Industrial District
China

Sharp Business Systems
4404-A Stuart Andrew Blvd.
Charlotte, NC 28217

TBP Converting Service & Solutions
400 Thoms Dr Suite 411
Phoenixville, PA 19460

Tessy Plastics, LLC
231 Jefferson Ridge Parkway
Lynchburg, VA 24501

Tontec International Ltd
UNIT 1209-12 TELFOED HOUSE
16 WANG HOI ROAD
KOWLOON BAY
Hong Kong

TOTAL PACKAGING
8610 Air Park W Dr Suite H
Charlotte, NC 28214

Toyota Industries Commercial Finance, In
PO Box 660926
Dallas, TX 75266-0926

TriMech Solutions, LLC
4461 Cox Rd Suite
Glen Allen, VA 23060

U.S. Small Business Administration
SBA 14925 Kingsport Rd
Fort Worth, TX 76155-2243

U.S. Small Business Administration
2 North Street
Suite 320
Birmingham, AL 35203

Uline
PO BOX 88741
Chicago, IL 60680-1741

UniFirst First Aid & Safety
3499 Rider Trail South
St Louis, MO 63045

United Parcel Service
PO Box 809488
Chicago, IL 60680-9488

United Rentals
3515 Trailer Dr
Charlotte, NC 28269

Universal Plastics
75 Whiting Farms Rd
Holyoke, MA 01040

**United States Bankruptcy Court
Western District of North Carolina**

In re **Piedmont Polymers & Fabrication, LLC**

Debtor(s)

Case No.
Chapter

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CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Piedmont Polymers & Fabrication, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

December 13, 2020

Date

/s/ Richard S. Wright

Richard S. Wright 24622

Signature of Attorney or Litigant

Counsel for **Piedmont Polymers & Fabrication, LLC**

Moon Wright & Houston, PLLC

121 West Trade Street

Suite 1950

Charlotte, NC 28202

704-944-6560 Fax:704-944-0380

rwright@mwhattorneys.com